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February 5, 2016

VIA OVERNIGHT DELIVERY AND ELECTRONIC MAIL

Environmental Protection Agency, Region IX
Freedom of Information Officer
75 Hawthorne Street
San Francisco, CA 94105
r9foia@epa.gov

Re: **Freedom of Information Act Request**

To Whom It May Concern:

Please allow this letter to serve as a Freedom of Information Act ("FOIA") Request on the Environmental Protection Agency, Region IX ("EPA") pursuant to 40 CFR § 2.102.

This FOIA Request seeks the following:

1. The Hawai'i Department of Health's ("HDOH") August 30, 1974 request and proposed program for controlling discharges of pollutants to navigable waters in accordance with the National Pollutant Discharge Elimination System ("NPDES"), pursuant to section 402(b) of the Federal Water Pollution Control Act (33 U.S.C. § 1342(b)) ("HDOH's NPDES Program") submitted to EPA.
2. The transcript of the October 10, 1974 public hearing conducted by EPA in Honolulu, Hawai'i on the proposed approval of HDOH's NPDES Program.
3. Documents pertaining to EPA's November 28, 1974 letter to Governor John A. Burns regarding its determination that HDOH has adequate authority to carry out the requirements of the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.)
4. Documents pertaining to communications between EPA and HDOH regarding EPA's approval of HDOH's NPDES Program.
5. Documents pertaining to EPA's evaluation and decision regarding HDOH's NPDES Program.



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Attached hereto as Exhibit 01 is EPA's December 18, 1974 Notice approving HDOH's NPDES Program (39 Fed. Reg. 43759) ("Notice"). This Notice provides additional guidance on the documents requested in this FOIA Request.

Please feel free to contact my office if there are any questions. We thank you in advance for your cooperation in this matter. If we do not hear from EPA by Monday, March 7, 2016, we will reach out to confirm the status of this FOIA Request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephanie Chen", with a long horizontal flourish extending to the right.

Stephanie Chen

EPA File Symbol 2693-RNU. International Paint Co., Inc., Elmwood & Morris Aves., Union NJ 07083. INTERLUX ANTIPOULING "62R" BOTTOM PAINT RED. Active Ingredients: Cuprous Oxide 30.7%; Tri-n-Butyltin Oxide 2.8%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2693-RNG. International Paint Co., Inc., Elmwood & Morris Aves., Union NJ 07083. INTERLUX ANTIPOULING "62C" BOTTOM PAINT RED. Active Ingredients: Cuprous Oxide 38.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33370-E. Morton Herman Co., Inc., 207 W. University Dr., Arlington Hgts. IL 60004. CHLORINE DISINFECTANT GERMICIDE-DEODORIZER. Active Ingredients: Sodium Hypochlorite 5.25%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8001-L. Novelties Unlimited, Inc., 4 N 270 Randall Rd., St. Charles IL 60174. DOG & CAT RETARD WICKS. Active Ingredients: Oil of Lemon-grass 1.320%; Allyl Isothiocyanate 0.003%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 12123-U. Sherwood Chemicals, Ltd., PO Box 25, Westville NJ 08093. SHERWOOD FORMULA P READY-TO-USE RODENTICIDE. Active Ingredients: 2-Pivalyl-1, 3-Indandione 0.025%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6720-EUE. Southern Mill Creek Products, Inc., PO Box 1096, Tampa FL 33601. SMOP DIAZINON 26E INSECTICIDE. Active Ingredients: O,O-diethyl O-(2-Isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 25.0%; Aromatic Petroleum derivative solvent 55%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 8850-4. Thuron Industries, Inc., 12208 Denton Dr., Dallas TX 75234. PETM SHAMPOO KILLS FLEAS, TICKS, & LICE. Active Ingredients: Pyrethrins 0.050%; Piperonyl Butoxide Technical 0.500%; 5-Isopropyl-o-Cresol 0.100%; 6-Acetoxy-2,4-dimethyl-m-Dioxane 5.100%; Isooctyl Phenoxy Polyethoxy Ethanol 5.000%; Sodium Lauryl Sulfate 5.508%; Triethanolamine Lauryl Sulfate 1.969%; Coconut Monoethanolamide 2.625%. Method of Support: Application proceeds under 2(c) of interim policy.

Dated: December 6, 1974.

JOHN B. REICH, Jr.,
Director,
Registration Division.

[FR Doc.74-29097 Filed 12-17-74; 8:45 am]

[FRL 308-8]

AREAWIDE WASTE TREATMENT MANAGEMENT PLANNING APPROVALS

Area and Agency Designations

Pursuant to section 208 of the Federal Water Pollution Control Act Amendments of 1972, notice is hereby given of approvals of designation of areawide waste treatment management planning areas and agencies for the period November 2, 1974 thru December 2, 1974.

The following area and agency designations have been approved by the Environmental Protection Agency:

Portland, Oregon (Columbia Regional Association of Governments, 6400 S.W. Canyon Court, Portland, Oregon 97221).

Salem, Oregon (Mid-Willamette Valley Council of Governments, 555 Liberty Street, S.E., Salem, Oregon 97301). Eugene-Springfield, Oregon (Lane Council of Governments, 135 Sixth Avenue East, Eugene, Oregon 97401).

Dated: December 12, 1974.

JAMES L. AGEE,
Assistant Administrator,
Water and Hazardous Materials.

[FR Doc.74-29391 Filed 12-17-74; 8:45 am]

[FRL 308-2]

HAWAII

Program for Control of Discharges of Pollutants to Navigable Waters

Notice is given hereby that the U.S. Environmental Protection Agency has granted the State of Hawaii's request for approval of its program for controlling discharges of pollutants to navigable waters in accordance with the National Pollutant Discharge Elimination System (NPDES), pursuant to section 402(b) of the Federal Water Pollution Control Act, as amended (P.L. 92-500, 86 Stat. 816, 33 U.S.C. 1251; the Act).

Section 402 of the Act establishes a permitting system, known as the National Pollutant Discharge Elimination System, under which the Administrator of the U.S. Environmental Protection Agency (EPA) may issue permits for the discharge of any pollutant, upon condition that the discharge meets the applicable requirements of the Act. Section 402(b) provides that any State desiring to administer its own permit program for discharges into navigable waters within its jurisdiction may submit such program to the Administrator. If the Administrator determines that the State has adequate authority to carry out the requirements of the Act, he shall approve the submitted program and suspend the issuance of permits as to those navigable waters subject to such program, except with respect to agencies and instrumentalities of the Federal Government. Guidelines specifying procedural and other elements for State NPDES programs appear at 40 CFR Part 124 (as amended by 38 F.R. 18000, July 5, 1973, and 38 F.R. 18894, July 24, 1973).

On August 30, 1974, Hawaii submitted a program for carrying out the NPDES. On October 10, 1974, EPA conducted a public hearing on the proposed approval in Honolulu, Hawaii. After a thorough review of the Hawaii program, the accompanying legal certification, and all comments submitted by the public during and following the public hearing, the Administrator determined that the State's authority was adequate to carry out the requirements of the Act, and so informed Governor John A. Burns in a letter dated November 28, 1974.

As of November 29, 1974, the Hawaii NPDES permit program is being administered by the Hawaii State Department of Health, P.O. Box 3378, Honolulu, Hawaii 96801 (telephone (808) 548-2211). Dr. Walter B. Quisenberry is Director of the Department of Health. The Hawaii program is being admin-

istered in accordance with Hawaii statutes and regulations and a Memorandum of Agreement between Hawaii and the EPA Region IX office, 100 California Street, San Francisco, California 94111 (telephone (415) 556-2320). All pertinent documents are available for inspection at the Hawaii State agency and EPA Regional office at the addresses given above and EPA Headquarters in Room 3201, Waterside Mall, 401 M Street, SW., Washington, D.C. 20460.

Dated: December 12, 1974.

ALAN G. KIRK II,
Assistant Administrator,
Enforcement and General Counsel.
[FR Doc.74-29385 Filed 12-17-74; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 20254, 20255, File Nos. 11-A-RL-104, 73-A-L-104]

LOWE AVIATION CO., INC. AND ARNOLD AVIATION CORP.

Order Designating Applications for Consolidated Hearing on Stated Issues

By the Chief, Safety and Special Radio Services Bureau: 1. Lowe Aviation Company, Inc. (hereinafter called Lowe) has filed an application for renewal of its license for aeronautical advisory station WIQ8 at the Lewis B. Wilson Airport, Macon, Georgia, and Arnold Aviation Corporation (hereinafter called Arnold) has filed an application for new aeronautical advisory facilities at the same airport. Section 87.251(a) of the Commission's rules provides that only one aeronautical advisory station may be authorized to operate at a landing area and, therefore, the above-captioned applications are mutually exclusive. Accordingly, it is necessary to designate the applications for a comparative hearing in order to determine which application should be granted. Except for the issues specified herein, each applicant is otherwise qualified.

2. By letter, dated September 25, 1974, Arnold has alleged that the present licensee (Lowe) has violated § 87.257(b) of the rules by not providing impartial information to incoming aircraft concerning available ground services.

3. In view of the foregoing, it is ordered, That, pursuant to the provisions of section 309(e) of the Communications Act of 1934, as amended, and § 0.331(b) (21) of the Commission's rules, the above-captioned applications are hereby designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent Order on the following issues:

(a) To determine which applicant would provide the public with better aeronautical advisory service based on the following considerations:

(1) Location of the fixed-base operation and proposed radio station in relation to the landing area and traffic patterns;

(2) Hours of operation;

(3) Personnel available to provide advisory service;